REMARKS

The present application was filed on August 7, 2003 with claims 1 through 18. Claims 1 through 18 are presently pending in the above-identified patent application

In the Office Action, the Examiner objected to the specification due to a

5   typographical error. The Examiner also rejected claims 1-5, 7-14, and 16-18 under 35 U.S.C. §102(e) as being anticipated by Sinha (United States Patent No. 6,292,917). The Examiner indicated that claims 6 and 15 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Arguments

10   ### Formal Objections

The Examiner objected to the disclosure because "C_{01}" on page 5, line 30, should be changed to "C_{10}."

The specification has been amended to correct the typographical error cited by the Examiner

15   ### Independent Claim 1

Independent claims 1 and 10 are rejected under 35 U.S.C. §102(e) as being anticipated by Sinha. Regarding claim 1, the Examiner asserts that Sinha discloses allocating a unique frequency partition to each of said sub-streams (102 & 104 L, 102 & 104 U - FIG. 2) for a plurality of consecutive time slots (FIGS. 1 and 2; col. 2, line 55; col. 3, line 22; col. 3, line 60,

20   to col. 4, line 7); and allocating a unique time slot to each of said plurality of sub-streams (col. 3, line 22; col. 3, line 60, to col. 4, line 7; col. 5, lines 7-16).

In the text cited by the Examiner, Sinha mentions *time slots, code division multiple access (CDMA) slots, and virtual connections* (col. 3, line 60, to col. 4, line 13) and briefly mentions *channels* (col 5, lines 7-23). Applicants, however, could find no disclosure or

25   suggestion by Sinha of allocating *unique frequency partitions and unique timeslots.* In particular, Sinha does not disclose or suggest allocating a ***unique frequency partition*** to each of the sub-streams for a plurality of consecutive time slots; ***and*** allocating a ***unique time slot*** to each of the plurality of sub-streams Independent claims 1 and 10 require allocating a ***unique***

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frequency partition to each of said sub-streams for a plurality of consecutive time slots; and allocating a *unique time slot* to each of said plurality of sub-streams

Thus, Sinha does not disclose or suggest allocating a unique frequency partition to each of said sub-streams for a plurality of consecutive time slots; and allocating a unique time

5   slot to each of said plurality of sub-streams, as required by independent claims 1 and 10

Dependent Claims 2-9 and 11-18

Dependent claims 2-5, 7-9, 11-14, and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by Sinha.

Claims 2-9 and 11-18 are dependent on claims 1 and 10, respectively, and are

10   therefore patentably distinguished over Sinha because of their dependency from independent claims 1 or 10, for the reasons set forth above, as well as other elements these claims adds in combination to their base claim. The Examiner has already indicated that claims 6 and 15 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

15   All of the pending claims, i.e., claims 1-18, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below

20   The Examiner's attention to this matter is appreciated

Respectfully submitted,

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